



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495
ATTN: Jim Green, Project Manager

Public Notice Date: March 17, 2005
Expiration Date: April 17, 2005
Reference: 200401092
Name: Peters, Charles L.

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899, for certain work described below and shown on the enclosed drawings.

APPLICANT: Mr. Charles L. and Ms. Sondra M. Peters
Post Office Box 8
Port Gamble, Washington 98364
Telephone: (360) 297-2323

AGENT: Mr. Wendell Stroud
Post Office Box 336
Tacoma, Washington 98401
Telephone: (253) 383-2740

LOCATION: In Port Gamble Bay, near Port Gamble, Kitsap County, Washington.

WORK: Construct a 4-foot by 165-foot pier; install a 4-foot by 40-foot ramp and an 8-foot by 24-foot float; and drive 15 piling.

PURPOSE: To provide private recreational use of Port Gamble Bay.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. The Puget Sound Chinook (*Oncorhynchus tshawytscha*), threatened; Coastal/Puget Sound bull trout (*Salvelinus confluentus*), threatened; Hood Canal summer chum (*Oncorhynchus keta*), threatened; Steller sea lion (*Eumetopias jubatus*), threatened; Leatherback sea turtle (*Dermochelys coriacea*), endangered; Humpback Whale (*Megaptera novaeangliae*), endangered; Bald eagle (*Haliaeetus leucocephalus*) threatened; Marbled murrelet (*Brachyramphus marmoratus*), threatened; Southern Resident Killer whale (*Orcinus Orca*), proposed threatened in the state of Washington, may occur in the proposed project area. For Puget Sound Chinook and Coastal/Puget Sound bull trout, critical habitat has been proposed.

A preliminary determination indicates that the activity "may affect, not likely to adversely affect" endangered or threatened species, or their critical habitat, designated or proposed under the Endangered Species Act of 1973. Informal consultation under Section 7 of the ESA has been initiated with the NMFS and/or the USFWS.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact approximately 1,012 square feet of EFH for Pacific salmon, Groundfish, and Coastal Pelagic Species in the project area. The U.S. Army Corps of Engineers (Corps) has determined that the proposed action will not adversely affect designated EFH for federally managed fisheries in Washington waters. No further EFH consultation is necessary.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. There are no recorded historic properties within the permit area. The proposed work is of such a limited nature and extent that little likelihood exists for the project to impinge upon an unrecorded historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

ADDITIONAL EVALUATION: The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program.

This proposal is the subject of Shorelines Substantial Development Permit, being processed by Kitsap County.

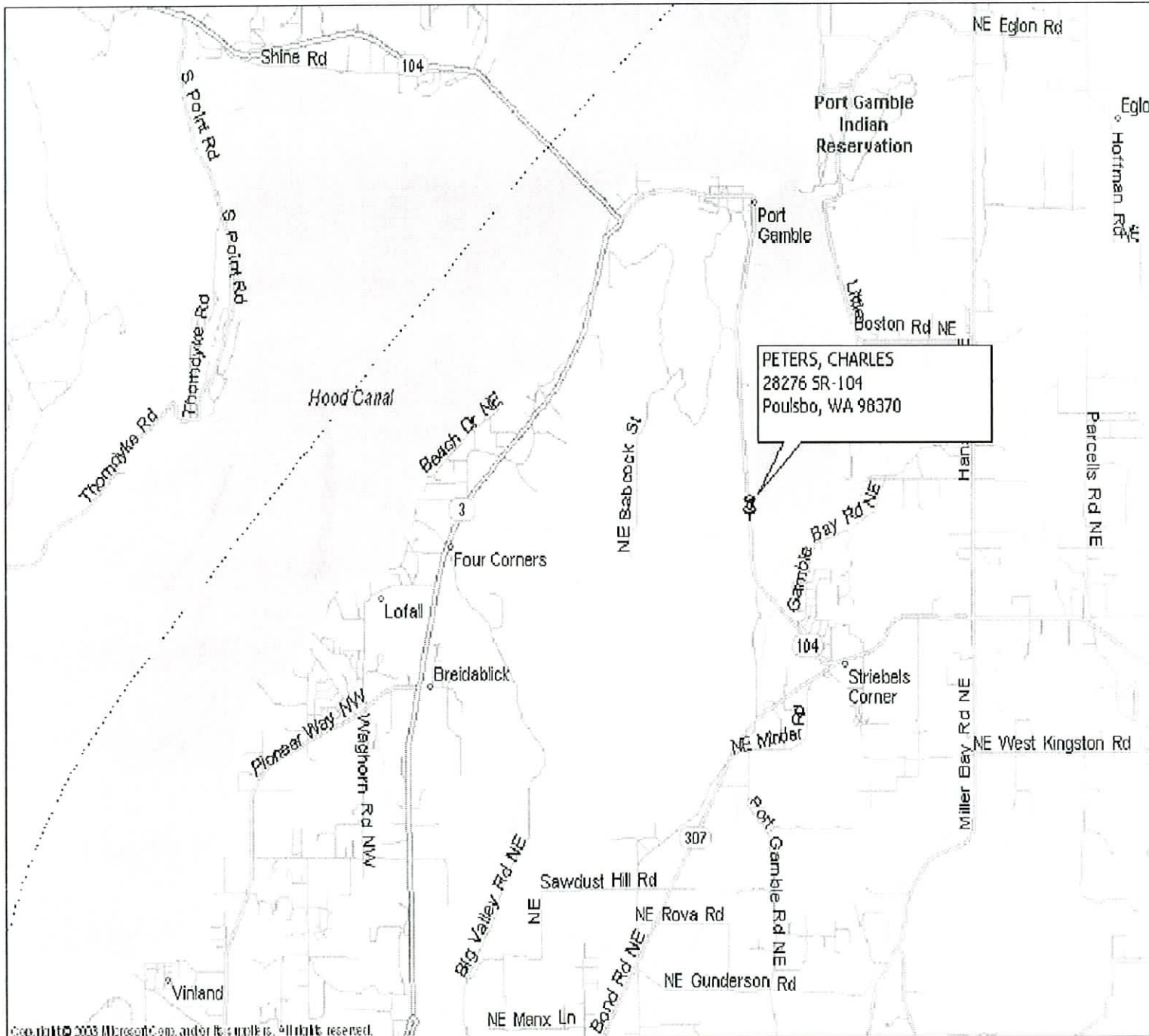
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's

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e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to James.D.Green@usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Peters, Charles L.
200401092

Encl
Drawings (7)



Scale: NTS

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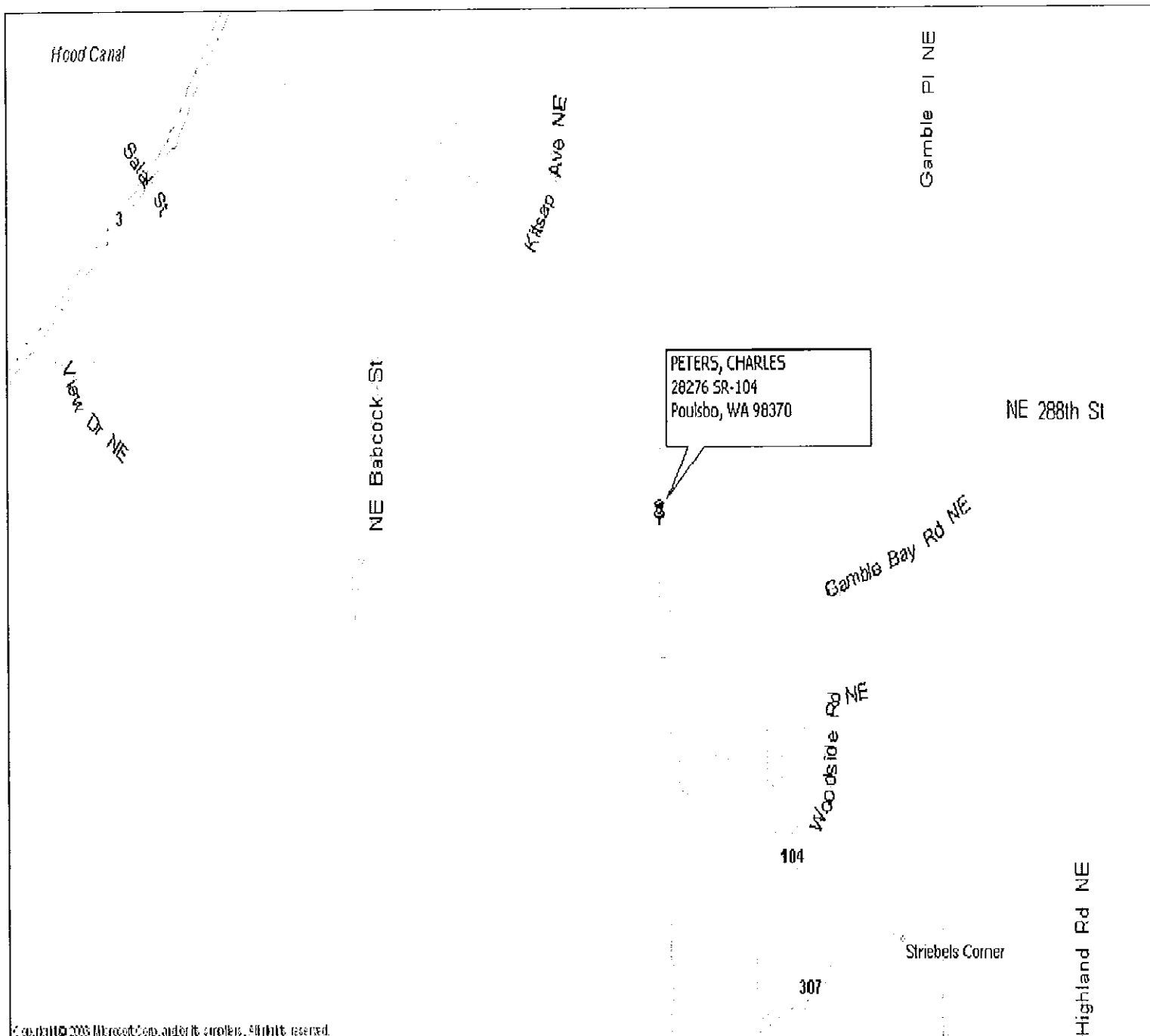
R 2E

Lat/Long

47-47-50
122-29-40

Corps Reference #200401092

Purpose: Private use recreational dock and Boat Moorage Datum: 0.0	MARINE FLOATS Tacoma WA (253) 383-2740	Proposed: To construct a 4'x165' pier, a 4'x40' ramp and an 8'x24' float and (15) 'Chemonite treated' piling.
Adjacent Property Owners: (1) Leonard & Bettie Peters (2) Mark & Lynn Schorn	Job Name: Peters Dock Job Add: 28276 State Route 104 Kingston WA 98346 Mail Add: PO Box 8 Port Gamble WA 98346	In: Port Gamble At: Puget Sound County: Kitsap State: WA Appl by: Charles & Sondra Peters Date: 8/30/04



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Scale: NTS

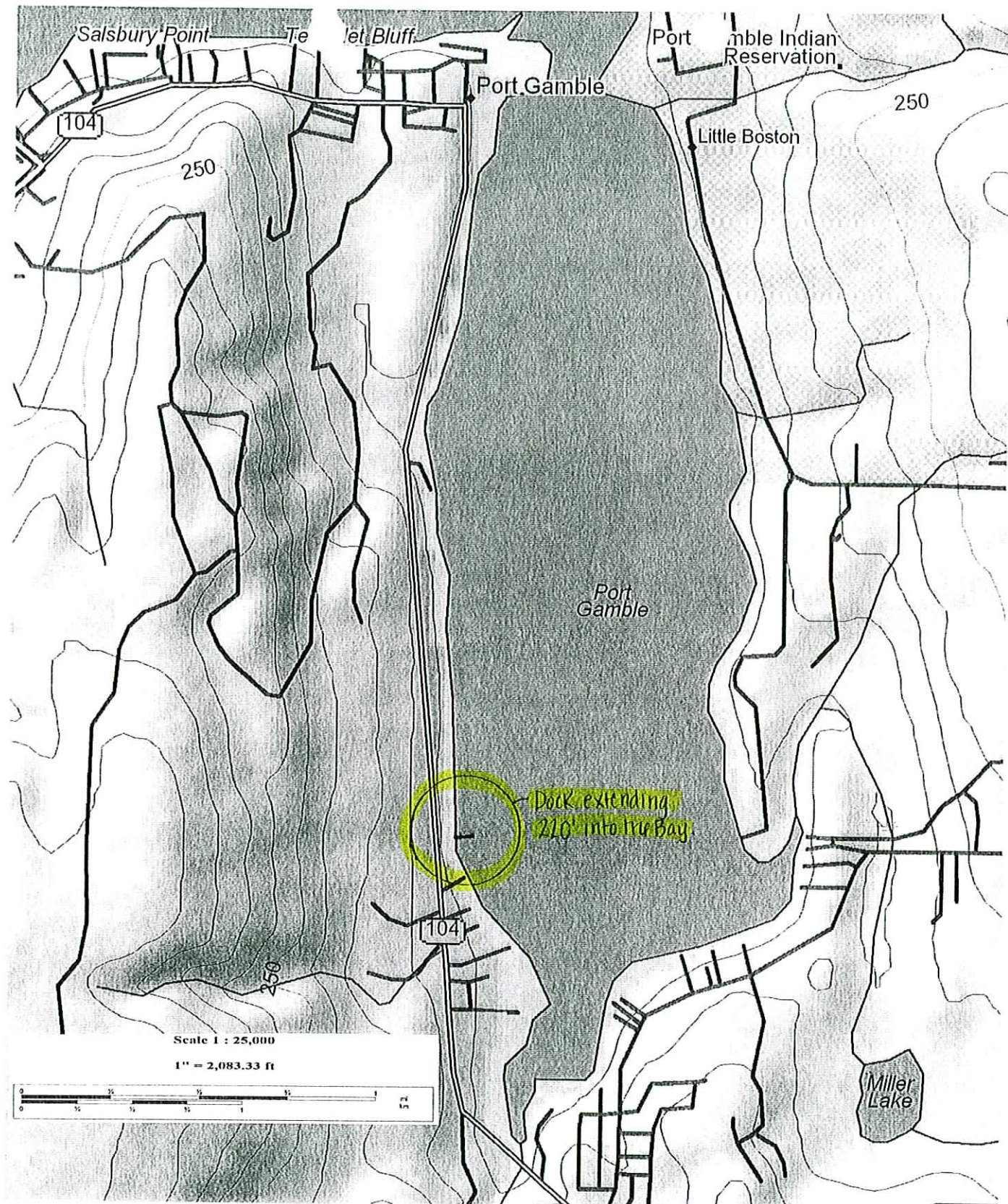
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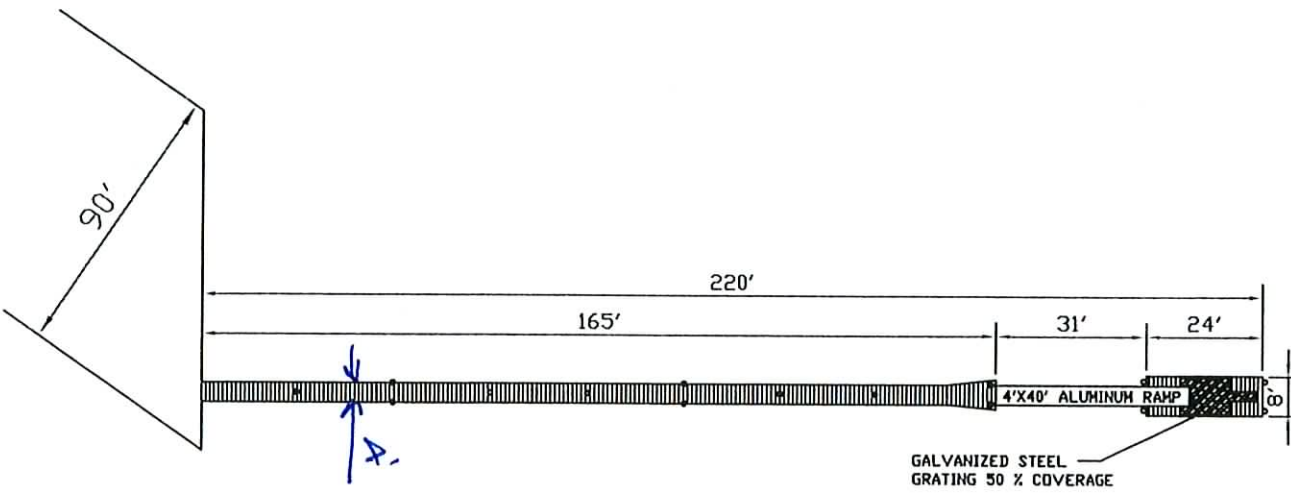
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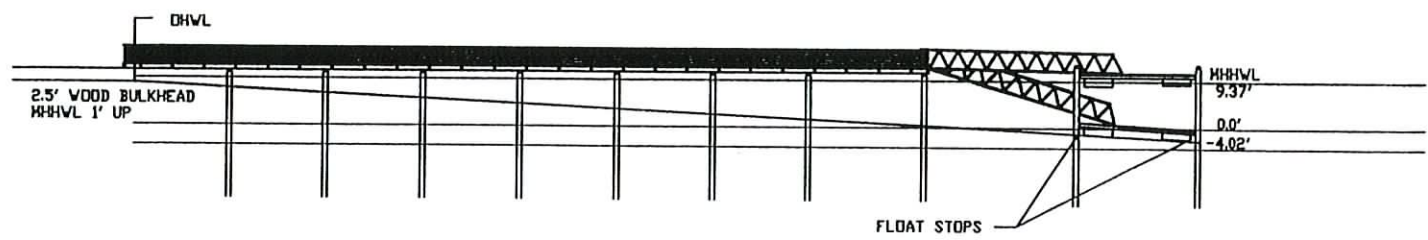
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PLAN VIEW



SECTION @ HIGH AND LOW WATER

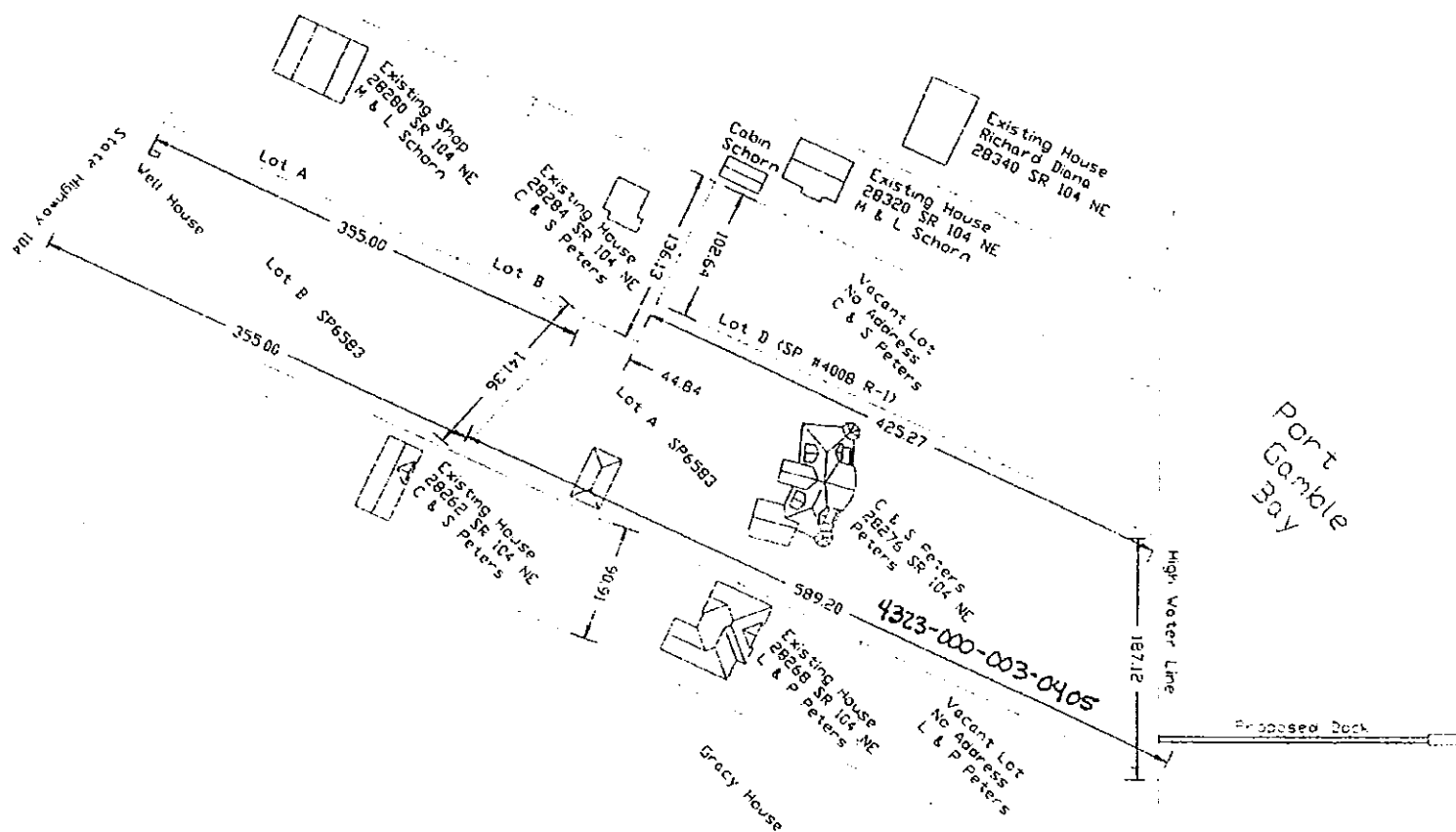
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Lat/Long

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Scale: 1"=40'

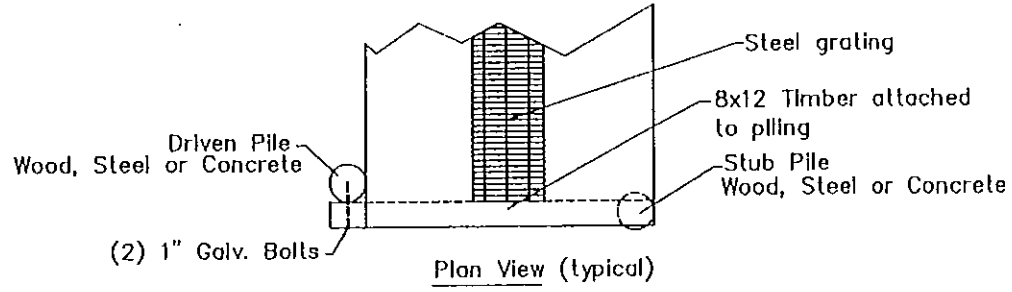
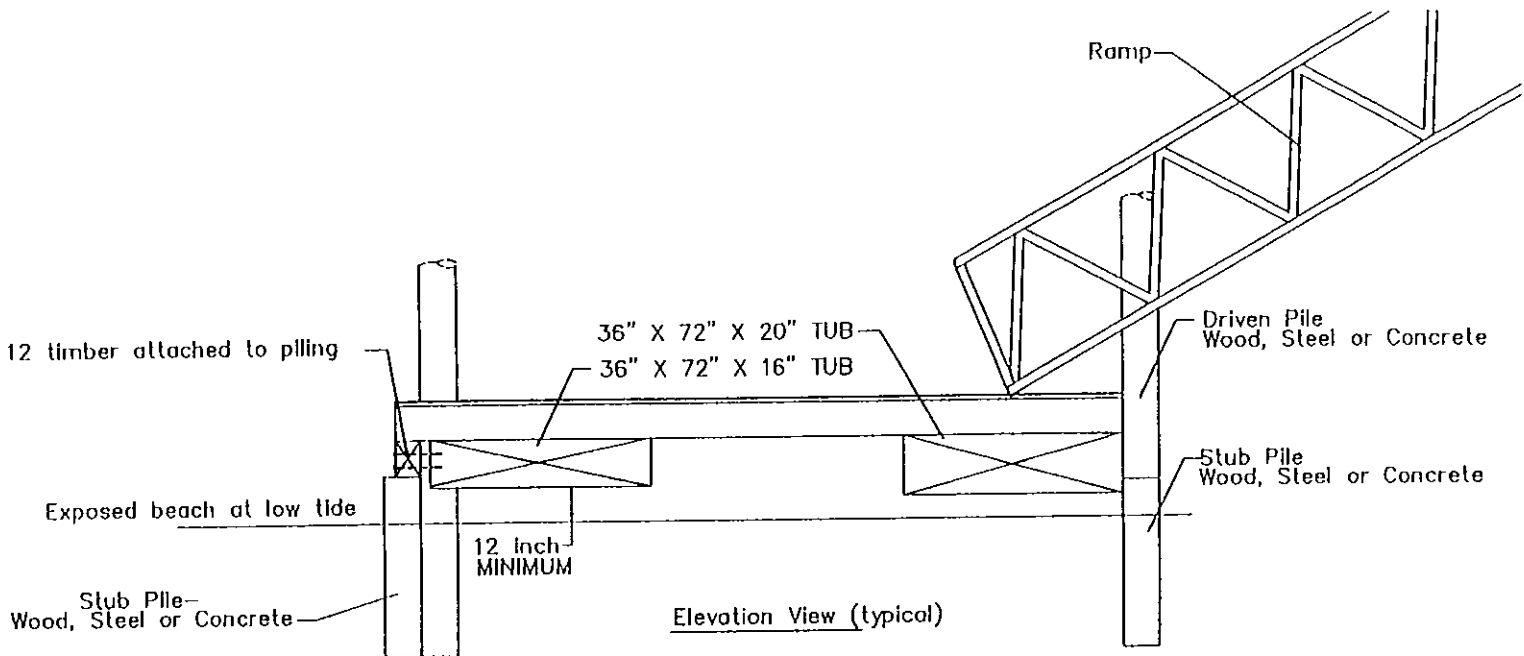
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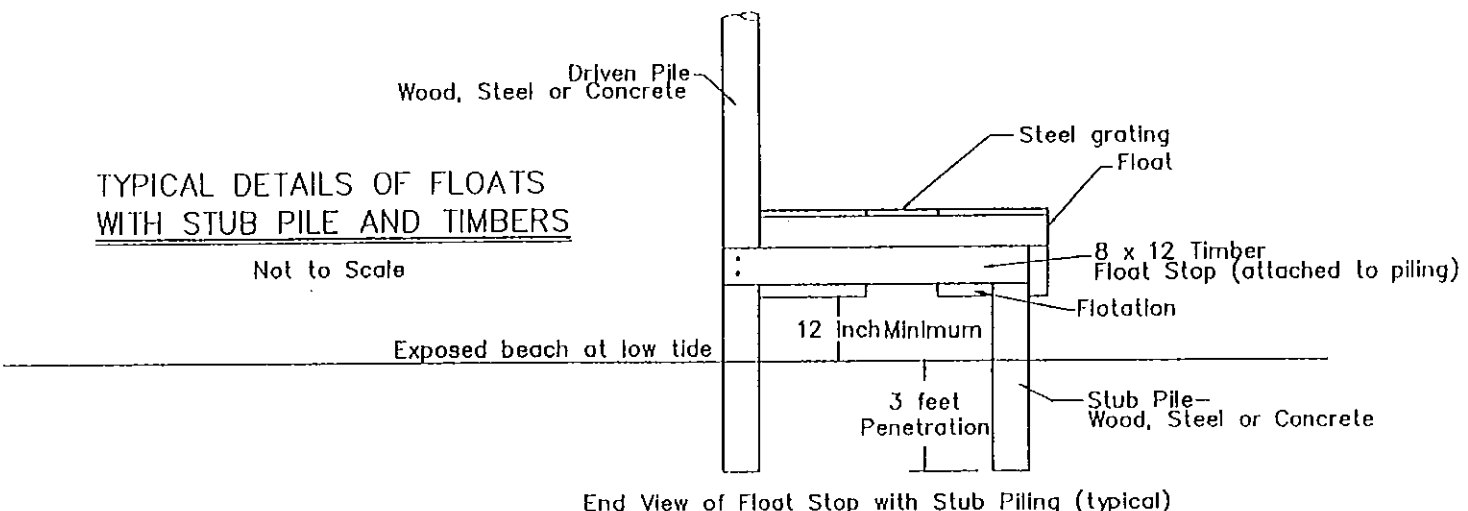
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**TYPICAL DETAILS OF FLOATS
WITH STUB PILE AND TIMBERS**

Not to Scale



End View of Float Stop with Stub Piling (typical)

Scale: NTS

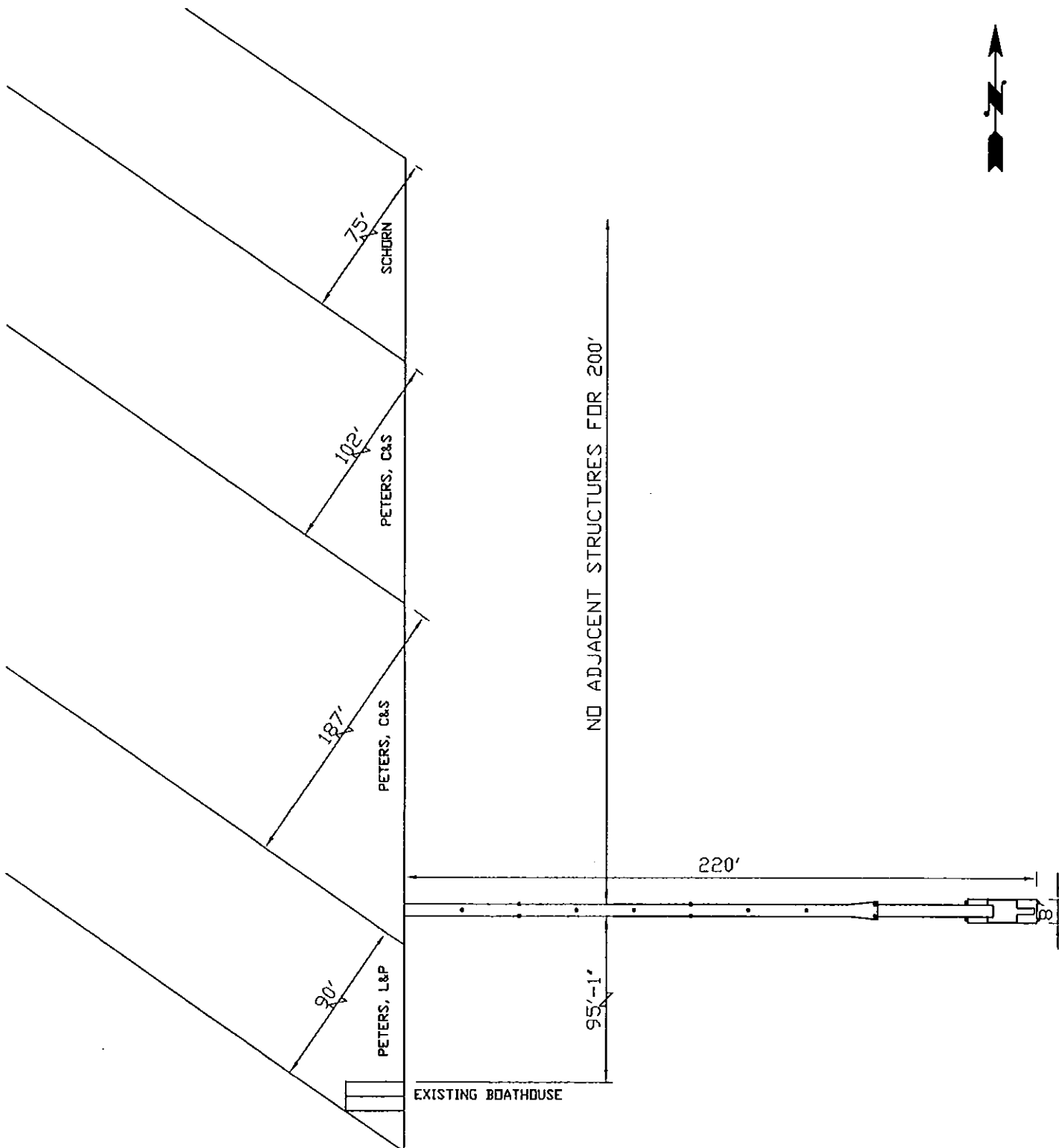
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Scale: 1"=50'

Sec SW20 T27N

R 2E

Lat/Long

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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: March 17, 2005

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200401092 will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that Program.

Any person desiring to present views on the project pertaining to the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600